

# The Sydney Morning Herald.

"IN MODERATION PLACING ALL MY GLORY, WHILE TORIES CALL ME WHIG—AND WHIGS A TORY."

TERMS OF SUBSCRIPTION.

Sydney, Fifteen Shillings per Quarter. Single Numbers, Sixpence. Country, Seventeen Shillings and Sixpence per Quarter. Ten per cent. discount for payment in advance, and ten per cent. added if accounts are allowed to run over six months.

VOL. XVIII. THURSDAY, OCTOBER 3, 1844.

No 2305.

CASH TERMS FOR ADVERTISEMENTS.

For one inch and under, Three Shillings, and One Shilling for every additional inch, for each insertion.

The only persons authorized to receive Money and Communications on account of the "SYDNEY MORNING HERALD" (except at the Office of Publication, Lower George-street, Sydney) are Mr. JOHN HARRIS, and Mr. Wm. BALL, Collectors, Sydney; Mr. JOSEPH HUNY, Bilmair; Mr. T. M. SLOMAN, Bathurst; Mr. LAMAN WHITE, Windsor. Mr. HUGH TAYLOR, Parramatta; Mr. A. W. LARYMORE, Maitland and Wollombi; Mr. JOHN BROWN, Campbelltown; Mr. JOHN COLEMAN, Penrith; Mr. THOMAS W. PALMER, Deputy Postmaster, Wallangarra; Mr. ROBERT CRAIG, Cabinetmaker, Goulburn; Mr. JOHN M'KINLAY, Postmaster, Casstis and Morton; Mr. JOHN GRAY, Queanbeyan; Mr. THOMAS HOPE, Deputy Postmaster, Singleton and Jerry's Plains; Mr. WILLIAM PRITCHARD, Deputy Postmaster, Liverpool; Mr. HERRING, Mrs. ROBERT DAVISON, for the District of Yass; Mr. THOMAS DOWNS, Morston Bay; Mr. JOHN HOUDLIM, Postmaster, Raymond Terrace; Mr. PIERCE HOGARTY, Musgrave; Mr. HENRY ALDERSON, Clarence River; Mr. JOSEPH LLOYD, Port Phillip; CAPTAIN THOM, Launceston, and Van Diemen; Mr. WILLIAM BARBER RHODES, Wellington, for Port Nicholson and Cook's Straits, New Zealand; who are provided with Printed Receipts, with the written signatures of "KEMP AND FAIRFAX," who hereby give Notice that no other will be acknowledged for debts accruing from January 1, 1841.

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FOR PORT NICHOLSON DIRECT.

THE fine fast-sailing schooner  
**VANGUARD**,  
Captain William Pifford, will sail for the above port with immediate dispatch; has superior accommodation for passengers. For freight or passage apply to the captain, on board, or to  
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E. W. Beazley, Commander, is bound for Port Nicholson, her cargo ready for shipment, will positively sail next the first proximo; she carries an experienced surgeon, and has two cabins still disengaged. Apply to Captain Beazley, on board; or to  
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EXCHANGE UPON LONDON.

THE Royal Bank of Australia hereby give notice, that they will sell their Drabs & Scotch Bank acceptances, payable in London. J. P. ROBINSON, Resident Director, Office, No. 2, Church-hill. 7585

BANK OF NEW SOUTH WALES.

THE Proprietors of Stock in this Bank are requested to meet at the Banking-house, George-street, on Saturday, the 5th day of October next, at twelve o'clock, for the purpose of electing a new Committee, and of confirming the Committee appointed by the Proprietors at their last half-yearly meeting, to examine and report upon the affairs of the Bank.

By Order of the Board of Directors,  
**JOHN BLACK, Cashier.**

HUNTER RIVER STEAM NAVIGATION COMPANY.

NOTICE is hereby given, that a Special General Meeting of the Proprietors in the above-named Company, will be held at their Offices, on Friday, 25th October next, at half-past eleven o'clock in the forenoon, in accordance with a requisition, addressed to the Directors of the Company, to convene a meeting for the purpose of considering the propriety of reducing the number of Directors from nine to six, and for other general business.

By order of the Board of Directors,  
**FRANCIS CLARKE,**  
Manager. Sydney, September 27. 4891

SYDNEY.

ALLIANCE ASSURANCE COMPANY NOTICE is hereby given, that, in accordance with a requisition dated the 16th instant, a SPECIAL MEETING of the proprietors of the above Company will be held at the Office, in Hunter-street, on Wednesday, the 16th proximo, at one o'clock precisely.

By order of the Board of Directors,  
**JAMES BUCHANAN,**  
Secretary. September 28. 4892

THE SHIPPING GAZETTE,

AND SYDNEY GENERAL TRADE LIST.

THE Twenty-eighth Number of the Shipping Gazette was published on Saturday, and will be continued every Saturday afternoon.

CONTENTS.—Arrivals and Departures of Shipping for the week; Imports and Exports for the week; Arrivals and Departures of Coasters; Clearances; Vessels laid on for London; the Shipping Intelligence of the world, including News from the Out-ports, Van Dieman's Land, New Zealand, Tahiti, Singapore, and China; List of Ships in Sydney; Whalers at Sea; Merchants etc. in Sydney; Geelong a Free Port; Court of Vice Admiralty; Statistics of the Sandwich Islands; New Steamer; Iron Light-houses; Commercial Remarks; Wool Market; Quantity of Spirits and Tobacco in Bond; Tables of Light Dues on Vessels entering the Harbour of Port Macquarie and Newcastle; Tide Table; Price Current; Freights, Exchanges, &c.

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The above person is requested to call at Mr. M. E. B. Elizabeth-street, Sydney. 8719

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ELECTION FOR BRISBANE WARD

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## SHIPPING INTELLIGENCE.

### ARRIVALS.

October 2.—*Harlequin*, schooner, 62 tons, Captain Cooley, from the Bay of Islands the 14th September, with oil, flax, timber, &c. Passengers—Rev. Dr. Pompaier and man servant. Mr. and Mrs. Gahanan, two sons, and two daughters.

October 2.—*Christina*, brig, 126 tons, Captain Saunders, from Port Phillip the 26th September, with a general cargo. Passengers—Mr. Nelson, Mr. Macpherson, Mrs. Fisher, Mr. Cannon, Mr. McArthur, and Mr. Lankashire.

### DEPARTURE.

October 2.—*Nelson*, barque, Captain Spurling, for the Whaling Fishery, with whaling gear, &c. Passenger—Master Spurling.

The barque *Cygnus* has hauled into the Stream, and will positively sail for London on Sunday next.

The *Christina* saw a brig off Kent's Group on Sunday last, supposed to be the *Cygnus*, bound to Launceston.

The schooner *Codangua*, from Sydney the 21st last, arrived at Auckland on the 1st September. The *Harlequin* spoke nothing on the passage up, but left the whaling vessels at the Bay of Islands. The whaler *Laurensen*, having undergone a thorough outfit, was ready for sea; the American vessels *Lancaster*, 26 months out, with 2400 barrels; and the *William Tell*, 16 months out, with 600 barrels.

"GREENLAW."—The *Greenlaw* will positively sail for London by the 13th instant, and has only one stern top cabin and two side cabins on deck disaggregated.

The barque *Sunderland*, hence 2nd January, arrived off Penzance on the 26th May.

The brig *Louisa*, thence 17th September, arrived at Hobart Town on the 26th. The *Leander*, from England via Mauritius, had arrived at Hobart Town, with part of her original cargo, and 35 tons sugar. The brigantine *Minerva*, from Calcutta, had also arrived.

### BOAT-TOWN SHIPPING.

**ARRIVALS.**—September 13: *Elizabeth*, cutter, from Sydney, in ballast. 14: *Glenar*, brig of Hobart Town, six months out, with 600 barrels 15. *Shamrock*, steamer, 100, from Sydney. 17. *Juno*, Hayes, from the whaling grounds; *Letitia*, schooner, Archy, from Hobart Town. 23. *Cygnus*, brig, from Sydney to Launceston, put in wind bound. 28. *Comet*, schooner, Cork, from Port Nicholson, which vessel reported the total loss of the barque *Magnet*, Captain Lewis, belonging to Sydney, at Akarana. 29. *Lord Robert*, brig, Johnson, for Hobart Town, with oil and cattle. 20. *Eeward*, schooner, Talian, for Sydney, with oil, tallow, &c. 21. *Fame*, barque, Sergeant, from the Whaling Grounds, with stores, &c.; *Juno*, barque, Hayes, for Sydney, with oil. 26. *Cygnus*, brig, for Launceston. 30. *Shamrock*, steamer, Gilmore, for Port Phillip and Launceston.

**Departures.**—September 15. *Shamrock*, steamer, Gilmore, for Port Phillip and Launceston. 17. *Industria*, schooner, Wood, for the Whaling Grounds, with 200 barrels black oil. 19. *Lord Robert*, brig, Johnson, for Hobart Town, with oil and cattle. 20. *Eeward*, schooner, Talian, for Sydney, with oil, tallow, &c. 21. *Fame*, barque, Sergeant, from the Whaling Grounds, with stores, &c.; *Juno*, barque, Hayes, for Sydney, with oil. 26. *Cygnus*, brig, for Launceston. 30. *Shamrock*, steamer, Gilmore, for Sydney.

Vessels in Hobart Town: September 30. *Wanderer*, R.Y.S., B. Boyd, Esq., refitting; *Rebecca*, barque, refitting; *Letitia*, schooner, refitting; and the *Comet*, taking in cattle for New Zealand.

### DIARY.

#### MEMORANDA FOR THIS DAY

	SUN.	MORN. WATER.	RISES	SETS	MORN. EVEN
October.					
3: THURSDAY	1 6 50	6 10	12 54	1 18	

Last Quarter, Oct. 5, 23 m. past 2, morning.

The Sydney Morning Herald.

THURSDAY, OCTOBER 3, 1844.

"Sworn to no master, of no soot am I."

### THE ENGLISH NEWS.

The English papers received by the mail yesterday were only to the 28th May, and therefore did not contain the report of the sentencing of Mr. O'CONNELL. We have however the judgment of the court upon the motions for new trials. The CHIEF JUSTICE and Mr. Justice BURTON were directly opposed to its being granted. Mr. Justice CRAMPTON thought that the Rev. Mr. TIERNEY ought to have a new trial, and the Crown had withdrawn the charge against him. Mr. Justice FERRIN was of opinion that improper evidence had been admitted against both Mr. TIERNEY and Mr. O'CONNELL. A summary of the proceedings on the day of passing sentence, taken from Irish papers, will be found in another part of this paper.

### GENERAL EDUCATION.

The first order of the day for to-morrow, in the Legislative Council, is the consideration of the Report from the Select Committee on Education; when Mr. ROBINSON, in pursuance of notice, will move the following series of resolutions:—

1. That this Council, having taken into consideration the Report of a Select Committee, appointed to enquire into and Report upon the state of Education in this Colony, and to devise the means of placing the education of youth upon a basis suited to the wants and wishes of the community, adopts, generally, the opinions contained therein.

2. That it is advisable to introduce Lord Stanley's system of National Education into this colony.

3. That in order to introduce this system, his Excellency the Governor be requested to appoint a Board of persons, favourable to the introduction of Lord Stanley's National System of Education, and belonging to the different religious denominations; this Board to be invested with a very wide discretion, as to the arrangements necessary for carrying the system into effect; and all funds to be henceforth applied for the purposes of Education to be appropriated by him.

4. The leading principle by which the Board of Education shall be guided is, to afford the same facilities for Education to all classes of professing Christians, without any attempt to interfere with the peculiar religious opinions of any, or to countenance proselytism.

5. That the Board be incorporated.

6. That an Address be presented to His Excellency the Governor, containing the above Resolutions, and praying that he will be pleased to take them into his favourable consideration, and carry them into effect.

After a candid consideration of all that has been urged, in writing and vice versa, in defence of Lord STANLEY's system, since the publication of our three articles against it, we have only to acknowledge that our objections remain unanswered, and (as we heartily think) unanswered.

In reply to our statement that the Council had not complied with their instruction, "to devise the means of placing the education of youth upon a basis suited to the wants and wishes of the community," witness examined by them, only five were decided in favour of the system recommended in the Report. Mr. LOWE, the learned Chairman of the Committee, has alleged that having made a careful analysis of the evidence, he had found that a decided majority of the witnesses were in favour of a general system, in contradistinction to a denominational one. But this

is not to the purpose. We were not speaking of a general system, but of the general system—the particular system recommended in the Report: the Irish system. We used the definite article; Mr. LOWE the indefinite. And the difference is immense. Many enlightened and liberal advocates for general education are among the warmest opponents of the system proposed by the Committee. Giving Mr. LOWE credit for honest intention, we can only suppose that this very material distinction must have escaped his notice. Our assertion remains, therefore, uncontradicted—that the Report is contrary to the "wishes of the community," in so far as those wishes are embodied in the evidence.

Another worthy gentleman, however, has answered our statement after a different fashion. He argues that as children often "want" (or stand in need of) what they do not "wish," and as in such cases it is the duty of parents to supply the want without regarding the wish, and, if requisite, to control the perverse inclination by the use of the rod; so in regard to the community—if its venerable parent, the Legislative Council, shall be of opinion that the Irish system, though repugnant to its wishes, is consonant with its wants, parental authority must be exerted, and the naughty community flogged into compliance! A very striking illustration! But what a pity that the Council should have made mention of "wishes" in its instructions. As a discreet parent providing for wayward children, it should have instructed the Committee "to devise the means of placing the education of youth upon a basis suited to the wants and wishes of the community." The Committee's course would then have been clear; and neither the Committee nor the Council would have been fettered by so silly a trammel as the conscientious feelings of their constituents. But we presume, nevertheless, to cling to the rather insubordinate opinion, that upon this question, involving the most sacred of parental rights, the constituency are quite as competent to judge as their representatives; and that the principle of consulting both our wants and wishes having been laid down as the basis of the Committee's enquiries and recommendations, this ingenious expedient of despising our wishes, and whipping us into subjection, is not precisely suited to the case.

The main objection urged by us against Lord STANLEY's system was—that it interdicted the use of the Bible as a school book, and in school hours; and that, even as regards its substitute for the sacred volume, its books of Scripture extracts, there was no rule requiring it to be used. This objection remains unanswered, and unanswerable. The system has of late been presented to the Australian public under two aspects—that of its original constitution, and that of its modern modification. By its original constitution, whatever could be considered as "religious exercise" was expressly interdicted from the educational business of the schools; and (sec. III, par. 3) "the reading of the Scriptures, either in the authorized or Douay version, was regarded as a religious exercise;" ergo, the reading of the Scriptures was forbidden. And although the reading of the books of Scripture extracts was not forbidden, neither was it enforced; for the rule (sec. III, par. 1) was—"such extracts from Scripture as are prepared under the sanction of the board may be used, and are earnestly recommended by the Board to be used, during those hours allotted to the ordinary school business." Here is permission—here is good advice; but no enactment—no law—no guarantee that even Scripture extracts shall ever be used as part of the ordinary school business.

The modification which the system is understood to have received within a very recent period, removes the interdiction we have spoken of, and leaves every thing to the discretion of local patrons. They are invested with supreme power. They may allow the Bible to be used in school hours, or they may banish it altogether; they may allow Scripture extracts to be used, or banish them likewise. With them it rests, as with arbitrary dictators, from whose fiat there is no appeal, to have any sort of religious instruction introduced which they may deem proper—or, to have no religious instruction at all. This certainly does not meet the matter. The looseness, the latitudinarianism of the original scheme, in, if possible, made worse by this lame attempt to correct it.

In either aspect, therefore, the Irish system still appears to us, as it always did, to involve, in its abortive attempt to "all things to all men," a dangerous (we had well nigh written criminal) sacrifice of what every Christian, and especially every Protestant, ought to regard as "the fundamentals of his faith."

Objecting as we do to the general system recommended by the Report, we have been challenged to name a better. We candidly acknowledge, that if no system will unite the children of Protestant and Roman Catholics which does not exclude the Holy Scriptures in the authorized version, we despair of any general system ever being invented—or rather, ever being brought into successful operation. This is a point upon which Protestants ought to be firm as an adamite. How far the Roman Catholics might be disposed to adopt united education without requiring this impracticable surrender at the hands of their Protestant brethren, it is not for us to conjecture. But such a surrender ought never to be made—and, in our opinion, never will.

Putting aside all controversial topics, however, and looking at the question simply in a practical point of view, we would respectfully ask the Council, how is this Irish system, if adopted by law, to be carried out? Without wrangling about the numbers and character of the signatures attached to the petitions that have been presented pro and con, we would beg of honorable members to reflect, that three of the leading religious denominations of the colony have declared their insuperable aversion to it. On the one hand, the Church of England and the Wesleyan Methodists, and on the other the Roman Catholics. We are aware that in each of these bodies there are individual members who support the system; they form the exceptions, not the rule; the dissentients, not the authoritative majority. So far as the clergy have spoken, their testimony is clear and decisive against the

general system for the stockholders of the neighbourhood (hear, hear).

Mr. COWPER said something about this kind of discussion upon petitioning irregularities, but owing to the low tone of voice which he spoke, he could not be heard in the gallery. The petition was then read.

Dr. NICHOLSON presented a petition to the same effect from the district of Bradfield, signed by seventy-three persons residing in the district, and although well acquainted with the dialect, he had but few of the names; although, indeed, he recited the names of several who did not reside there but had merely come up for the purpose of collecting or superintending cattle for the stockholders of the neighbourhood (hear, hear).

Mr. COWPER gave notice that on Friday

we humbly contend, therefore, that however unexceptionable the system might be in itself, yet seeing that it is repudiated by so many of the people whose taxes would have to support it, the Council would be neither practically wise, nor constitutionally just, in attempting to force it upon the community.

### LEGISLATIVE COUNCIL.

WEDNESDAY, OCTOBER 2.  
TAS Speaker took the chair at the usual hour.

EDUCATION.

Mr. COWPER presented a petition from the Rev. John Cowper, of Moreton Bay, and the inhabitants of the town of Brisbane, against the adoption of the General System of Education recommended by the Select Committee. The petition, he said, was signed by 113 persons, among which number were included many of the magistrates and other persons of great respectability in the district.

The petition was read and received.

Mr. COWPER presented a similar petition from the district of Creek's River, which prayed among other things that in the event of the General System being adopted, the members of the Church of England, who could not conscientiously send their children to the schools established under that system, might be allowed to retain their entire repugnance to the latitudinarian principles of the system which was proposed to be introduced.

The petition was signed by fifty-two persons, all of whom were householders entitled to vote, and among the number there were five magistrates residing in that neighbourhood. He would move that the petition be referred to the Select Committee.

The petition having been read,

Mr. ATTORNEY-GENERAL remarked, the petitioners had made a mistake in supposing the system to have failed in Ireland, and were equally so in asserting the system to be latitudinarian. He thought, therefore, that they might have given expression to their own opinions without casting so great a reflection upon those who thought differently. (Hear, hear.)

The petition was then received.

Mr. COWPER presented a petition in favour of the General System of Education from the district of Pitt Town, which prayed among other things that in the event of the General System being adopted, the members of the Church of England, who could not conscientiously send their children to the schools established under that system, might be allowed to retain their entire repugnance to the latitudinarian principles of the system which was proposed to be introduced.

The petition was signed by forty-four persons, all of whom were householders entitled to vote.

The petition was read and received.

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The petition was signed by twenty-four persons, all of whom were householders entitled to vote.

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or the peace, welfare, and good government of the inhabitants beyond the boundaries.

Bill was read a first time, and ordered to be printed and read a second time on this day week.

**CORPORATION OF SYDNEY.—POLICE.**

Mr. WENTWORTH, in pursuance of notice, moved that the petition of the Mayor, Aldermen, Councillors, and Citizens of Sydney, presented to the Council on the 25th ultimo, be taken into consideration. It would be recalled, he said, that the substance of that petition was the assumption of the right of the Municipal body to have the control and management of the police, and of the City of Sydney; and the petitioners complained of a proceeding on the part of the Government on a recent night, in asking this Council to provide for the expenses of that police. By the 70th section of the Corporation Act, the power of estimating for the City Corporation, and for the City Council, until the law was altered (Mr. Wentworth) could not see how this Council could be asked to estimate. There had been an Act passed which reserved the control of the police to the Government, but that Act expired on the 2nd August last, and with it the power of the Government to control. The important question was, who was to have the control of the police? The petitioners claimed it was a right to control the police, also the prayer of the petition was that they might be heard by counsel in support of that claim. He was not well prepared on the point of precedent, but he believed that precedents enough might be found in the proceedings in parliament for hearing counsel. The honorable member for Durham had informed him that the East India Company had voted, at the bar of the House of Commons, at the time of the abolition of the charter; and he had been told that previous to the dismemberment of the old boroughs in England, by the Reform Bill, several of the boroughs, and amongst the rest East Retford, had been heard by counsel against the Bill. The Council was not now asked to decide the question as to who had the control of the police, merely to allow the petitioners to be heard by counsel, and he found that their prayer would be granted, in which case he should move "that to-morrow (this day) be fixed for hearing the arguments of counsel in support of the views set down in the petition—and that the petition be printed."

Mr. BLAND seconded the motion.

The COLONIAL SECRETARY said, that he was not disposed to offer any opposition to the motion of the petition, if he could be satisfied that there were precedents for so doing, and that the Council would not itself be creating a dangerous precedent. If the Council once commenced to hear public bodies by counsel, there was no telling where they would be able to stop, for whenever a public question came forward, there would be bodies who would be heard by counsel, and that was what it was thought the House of Commons to hear by counsel, when private interests were likely to be affected, but not that that practice extended to public bodies also. The East India Company's case was not, he thought, in point: for although a body possessing extensive powers of legislation and of government, still they were a trading body, and it was to defend their interests as such that they were allowed to be heard. And with respect to the colonies brought before him, it had not been distinctly stated whether counsel had been heard before the House, or merely before a Committee of the House. As to the principal question whether the Corporation should or should not have the control of the police, he would only state that there would not be any objection on the part of the Corporation to give up the control of the police if the Corporation could take upon itself the whole of the expenditure also. Melbourne, it appeared, was willing to forego the control in consideration of the privilege of being relieved of the expenditure; and the Government had proposed to take the expenditure for both Sydney and Melbourne upon itself, merely because it was thought that it would be to an injustice to make the colonies bear the expense of police, while the rural districts were elsewhere relieved from them. As he had said he should offer no opposition to the motion if he could be satisfied as to precedent.

Mr. ROBINSON said, there were enough of precedents; he remembered well, in 1835 Sir Charles Wetherell appeared as counsel for the Corporation of the city of Bristol before the House of Lords, and spoke for three hours against the Corporations Act Amendment Bill. Again, Mr. Roebuck was heard as Counsel for the Canadians, against the Canada Bill. With respect to the suggestion, that Sydney should pay the whole of the police expenses, he, as a ratepayer, much desired to object to it; it was preposterous to propose that the citizens of Sydney should be called upon to pay £7,000 for police, while in justice they ought to be relieved of the expense. The better would be to expend it in lighting the city, which indeed he believed would be the best police force that could be devised.

Mr. LAMB said, that there was one point worthy of attention, which was, whether "counsel" was to be taken in the singular or plural. The COLONIAL SECRETARY said, that although this consideration could not possibly have any effect on the question, as a matter of fact it was intended that two counsel should be retained. This was the usual number that appeared before the House of Commons; he had himself formed one of three who were waiting at the bar of the House of Commons to be heard.

Mr. DAVALL objected to hearing counsel on the ground that it would open the door to great inconvenience, and he thought that the City Corporation could not need to be heard by counsel, while so well represented in the House as by the honorable and learned member for Sydney and his colleague. Further he contended, that the precedents quoted did not apply, and that it was only when private interests were affected that counsel were heard before the House of Commons.

Mr. WENTWORTH briefly replied.—

The question was put—and a division was called. The result was

AYE....11

NOS....5

Majority in favor of hearing counsel 3

**ESTIMATES FOR 1845.—BORDER POLICE.**

The House resolved itself into Committee for the further consideration of the Estimates for 1845.

The COLONIAL TREASURER brought forward the Estimate for the Border Police—the first item being £500, salary of Commissioner, and £500 for Contingencies; total, £1,000, which sum he moved might be appropriated.

A lengthy discussion took place as to the propriety of going into the Estimate at all while the corps was continued in its present state, which was described by Mr. Cowper, Mr. Wentworth, and others, as worse than useless. The discussion was of a similar nature to that which took place on a former occasion as to the merits of the force.

Mr. ROBINSON proposed as an amendment, that the salary of the Commissioner be reduced to £100 per annum, and £100 for Contingencies.

Dr. LANG thought that £500 per annum was quite sufficient, and proposed this as a further amendment.

Mr. BLAND seconded this amendment, which was supported by Mr. WINDEYER and Mr. FOSTER.

Mr. LAMB and Mr. DARVALL supported the proposition of £500 made by Mr. Robinson as an amendment, and thought that it might have lower salaries, according to the arduousness of their duties, length of service, &c.

Mr. MACARTHUR thought, that an uniform salary for all the Commissioners would not answer the justice of the case, the duties of some being much lighter than those of others; it was favourable to some reduction, considering that the Commissioners had been far from answering the expectations held out of them.

After some further conversation, the Council divided upon Dr. LANG's amendment, to reduce the salary to £500, when there appeared twelve in favour of the proposition, and seven against it. It was therefore, carried by a majority of five.

**ABSTRACT OF SALES BY AUCTION.**

THIS DAY.

Mr. FAWCETT.—At His Rooms, at half-past 10 o'clock, Parcels; also, Drapery, Hosiery, Haberdashery, and Slops, in variety.

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## LAW INTELLIGENCE.

SUPREME COURT.  
INSOLVENCY JUDGEMENT.  
WEDNESDAY.  
BEFORE HIS HONOR MR. JUSTICE A'BECKETT.  
PLANS OF DISTRIBUTION.

Plans of distribution were confirmed by the Court on the motion of the Chief Commissioner in the following estates, viz.—

	Rate of Dividends
William Barnett, (3rd dividend) ...	2 6
Henry Moon ...	0 31
John Liscombe, (on preferent debts only) ...	7 6
Wilson, Coser, and Henderson ...	3 0
W. H. Sawyer ...	1 5
J. G. Hughes ...	0 8
M. L. S. Leathes ...	1 0

Certificates of discharge was confirmed by the Court to the following insolvents, namely—John Miller, James Charles Russell, Robert Crotell, Charles M. Clarke, and Stewart Ryrie.

In RE JOHN RYRIE.  
The application of the above-named insolvent for his certificate having been refused by the Chief Commissioner, the former having received fresh evidence, it was decided that he should be heard, but the Chief Commissioner refused to hear him, on the ground of having already disposed of the matter. The present matter, therefore, was a rule nisi, calling upon the Chief Commissioner to show cause why he should not re-hear the insolvent's application.

Messrs. WINDFIRE and MICHELE appeared in support of the rule, and contended that the seventh section of the Insolvent Act did not place placing an insolvent whose certificate had been refused in any worse position than a plaintiff who had been nonsuited, and that it was consequently open to him to apply again whenever he obtained fresh evidence.

Mr. BROADBENT appeared on the other side, and contended that the decision of the Commission was final.

The court at decided that the determination of the Commissioner to grant or refuse a certificate, although not final in one sense, was certainly so unless reversed by the Court upon appeal; but it would be very inconvenient if it was open to the insolvent to come again and again after his application had been refused. The Commissioner's refusal to reheat the application must therefore be taken as final, and the present application must be rejected without costs.

A rule nisi was accordingly granted calling upon Mr. Baldwin to show cause why his estate should not be a placed under sequestration, but in consequence of being then at a considerable distance in the interior it could not be served in time to admit of his appearing on the day named in the rule. A fresh rule was therefore granted by the Court upon the motion of Mr. WINDFIRE, returnable on the 16th October instant.

EDWARD H. FORTÉ.

An extension of three months was granted by the Court to the trustees of the above estate, for the purpose of winding up the affairs, upon the motion of Mr. WINDFIRE.

ESTATE OF JOHN DONALD.

A similar extension of three months was granted to the trustees of the above estate, upon the motion of Mr. MICHELE.

Court adjourned till Wednesday next.

## DOMESTIC INTELLIGENCE.

### INSOLVENCY PROCEEDINGS.

WEDNESDAY.  
BEFORE THE CHIEF COMMISSIONER.

In the estate of R. and T. COVEY, a special meeting was held, when Messrs. Gilchrist and Fanning, the trustees, resigned their trust.

There are no meetings fixed for to-day.

METINGS FOR TO-MORROW.

Henry Moore, a special meeting, at half-past ten o'clock.

Joseph Moore, a special meeting, at half-past ten o'clock.

Henry and Joseph Moore, a special meeting, at half-past ten.

PETITION FOR COMPULSORY SEQUESTRATION.—Yesterday, a petition was filed by Leslie Duguid, praying that the estate of James Ferguson, residing near Maifield, gentleman, might be sequestrated. On which a summons was issued, calling on the defendant to show cause against the application; summons to be returned on Wednesday, the 16th instant.

CERTIFICATES OF DISCHARGE.—The Chief Commissioner will sit at noon precisely to hear and determine applications for certificates of discharge, to be made by the following insolvents:—Robert Broad, Edye, Manning, Stephen Lambton, and Michael Riedy.

WORTHY OF SPECIAL NOTICE.—At half-past eight o'clock on the evening of October 2nd, the Government of New South Wales had a majority in the Legislative Council of eight to seven, the question being a salary of £100 a year. This very singular circumstance we think it right to call attention to, as it may accidentally affect an honorable member who was engaged on the occasion in the Government benches when the division took place, not thinking the question worth moving for.

COURT OF VICE ADMIRALTY.—Yesterday was the day appointed for the sitting of this Court, but owing to the lamented death of Sir James Dowling, under whose commission Mr. Milford, the Deputy Judge and Commissioner, was appointed, his place is vested in the Chief Justice for the time-being, and the difficulty will cease so soon as the oaths of office shall have been taken by the new acting Chief Justice.

COURT OF REVISION.—A Court of Revision, composed of the Alderman and Assessors for Cook Ward, will sit to-day, at eleven o'clock, in the New Court House, Woolloomooloo, for the revision of the electoral list of the Ward, in virtue of the Act of Incorporation, 6 Victoria, No. 3.

THE CASE OF THE "JUND."—Yesterday, Mr. Brown spoke at the Police Court on behalf of the prisoners in custody from the barque "JUND," and in an address, which lasted about an hour and a half, contended that no charge of revolt had been made out against them, that the utmost of the charge was that they had been guilty of insubordination, and that only by allowing that they had disobeyed the lawful commands of the captain, who he contended had not exercised due caution, nor displayed such prudence as a captain of a vessel, situated as he was, ought to have exhibited. There was nothing in the evidence which showed that the prisoners contemplated piracy, which was the amount of the charge against them. In order to show the law of the case, Mr. Brown cited largely from the Law Dictionary, on the subject of Ship, and the sixth volume of Cartwright and Payne's Reports, and submitted that the proper mode of punishing them was by mauling them of their wages; moreover, he offered to stake his existence that if they were committed no conviction would take place. The Court did not consider it necessary to hear Mr. Dillon in reply, and committed all the prisoners to take their trial, endeavouring to extort a confession on the high seas. The names of the prisoners are George Scott, Richard Morris, James Campbell, Henry Morris, and Benjamin Wilson. The following were also committed, but allowed bail, each in £50, with securities in £40:—James Smith, Henry Watt, Charles Crawford, Thomas Neilson, and Timothy Cole.

THE CATTLE SALE.—The splendid herd advertised in to-day's "Herald," by Mr. Stubbs, will positively be sold off, at twelve o'clock, and he would fairly submit to the opinion of any person in the colony of New South Wales, whether so large a proportion of female cattle—made and convertible general stock was ever brought to public notice. It is evident that the very dropping along of this season's calves, will replace any draught taken away to meet the first payment of the purchase, when such cattle are bought at now-a-days. —Continued.

CARGO OF "PARACLES" AND "LANTZ."—We are requested to remind the public that the above cargoes will be sold this day by Mr. Samuel Lyons, at his Mart, at 11 o'clock precisely. We refer intending purchasers to the advertisement in our columns, by which they will find that the variety of articles offers a fair field for advantageous purchases. —Comments.

## THE STATE TRIALS.

COURT OF QUEEN'S BENCH.—THURSDAY, MAY 20.

Four an early hour this morning the Court was crowded to excess, and the deepest interest and anxiety was manifested to learn what would be the sentence of the Court.

At half-past ten o'clock Mr. O'Connell entered, and his presence was the signal for a tremendous and enthusiastic applausus, which reverberated again and again from the members of the bar.

Mr. O'Connell seemed deeply affected, and repeatedly bent his head in acknowledgment of the compliment.

The Chief Justice then asked the Attorney-General had he anything to move?

He then addressed the Court in these words:

"Sir, I have been favoured with instructions to

present an application to the Court.

The Chief Justice then said that in the case of

Mr. O'Connell he had applied to the Court.

The Attorney-General said that in the case of

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